

DIVISIONAL

PTO/SB/51 (02-01)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

54317-011904

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,905,865, granted May 18, 1999, and for which a reissue patent is sought on the invention entitled APPARATUS AND METHOD OF AUTOMATICALLY ACCESSING ON-LINE SERVICES IN RESPONSE TO BROADCAST OF ON-LINE ADDRESSES

the specification of which

☒ is attached hereto.

☐ was filed on _____ as reissue application number _____
and was amended on _____
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

Applicants' original claim 1 contained step c) and step d) which collectively identified the use of an address transmitter for receiving (step c) and transmitting (step d) an address from a third location. These steps are not necessary to patentably define the invention over the prior art. As such, the Applicants are claiming the receiving of a transmitted Internet address specifying a website which contains questions and providing answers in relative synchronicity with the programming an address from the transmitter of television. Support for this feature is found, for instance, in the provisional application No. 60/000,811 which is incorporated by reference in U.S. Patent No. 5,905,865 and the reissue applications. Claims 2 to 38 are being cancelled. Additionally, the reissue application 09/860,259 had an error in not claiming more than there is the right to claim.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)
54317-011904

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Name(s)

Registration Number

Correspondence Address: Direct all communications about the application to:



Customer Number

33717

Type Customer Number here

Place Customer Number Bar
Code Label hereFirm or
Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

Shelton L. Palmer

Inventor's signature

Date

Residence 330 East 33rd Street, 19M, New York, NY 10016

Citizenship USA

Mailing Address Same as Residence Address

Full name of second joint inventor (given name, family name)

Jason M. Palmer

Inventor's signature

Date

Residence 41 Shore Drive, Huntington, NY 11743

Citizenship

Mailing Address Same as Residence Address

Full name of third joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship USA

Mailing Address



Additional joint inventors are named on separately numbered sheets attached hereto.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)
54317-011904

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Name(s) _____ Registration Number _____

Correspondence Address: Direct all communications about the application to:



Customer Number

33717

Type Customer Number here

Place Customer Number Bar
Code Label here



Firm or
Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

Shelton L. Palmer

Inventor's signature

Date

Residence 330 East 33rd Street, 19M, New York, NY 10016

Citizenship USA

Mailing Address Same as Residence Address

Full name of second joint inventor (given name, family name)

Jason M. Palmer

Inventor's signature

Date

Residence 44 Shore Drive, Huntington, NY 11743

Citizenship

Mailing Address Same as Residence Address

Full name of third joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship USA

Mailing Address

☐ Additional joint inventors are named on separately numbered sheets attached hereto.


PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee: Palmer, et al. Patent No.: 5,905,865
Issued: May 18, 1999 Docket No.: 54317-011904
Title: APPARATUS AND METHOD OF AUTOMATICALLY ACCESSING ON-
LINE SERVICES IN RESPONSE TO BROADCAST OF ON-LINE
ADDRESSES

CERTIFICATE UNDER 37 CFR 1.10
'Express Mail' mailing label number: EV 311272731 US
Date of Deposit: September 22, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to MAIL STOP: REISSUE, Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450.


Name: Kelly Simpson

CONSENT OF ASSIGNEE TO FILING OF DIVISIONAL REISSUE
APPLICATION AND POWER OF ATTORNEY

MAIL STOP: REISSUE
Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

CONSENT

Web Pager, Inc., the assignee owning an undivided interest in said original patent, hereby consents to the filing of the accompanying application for reissue of U.S. Patent No. 5,905,865.

POWER OF ATTORNEY

I appoint the following as my attorneys and/or patent agents to prosecute the captioned utility reissue patent application and to transact all business in the Patent and Trademark Office connected therewith:

Charles Berman, Reg. 29,249
Christopher Darrow, Reg. 30,166
Margo Maddux, Reg. 50,962
Claude Nassif, Reg. 52,061
Albert L. Jacobs, Jr., Reg. 22,211
Eugene C. Rzucidlo, Reg. 31,900

Jesse D. Reingold, Reg. 20,461
Joseph M. Manak, Reg. 33,013
Gerard F. Diebner, Reg. 31,345
Mark A. Farley, Reg. 33,170
Adam B. Landa, Reg. 35,236

Alan P. Force, Reg. 39,673
Elizabeth S. Lapadula, Reg. 46,001
Brad S. Needleman, Reg. 40,416
Paul J. Sutton, Reg. 24,201
Anthony Barkume, Reg. 33,831

The Patent and Trademark Office is requested to correspond with:

Charles Berman, Esq.
Greenberg Traurig, LLP
2450 Colorado Avenue, Suite 400E
Santa Monica, California 90404
(310) 586-7770 - Phone
(310) 586-0271 - Fax
bermanc@gtlaw.com

Date: September 16, 2003

Respectfully submitted,

WEB PAGER, INC. (Assignee)

By:


Shelton L. Palmer, President

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Web Pager, Inc.Application No./Patent No.: 5,905,865Filed/Issue Date: May 18, 1999Entitled: APPARATUS AND METHOD OF AUTOMATICALLY ACCESSING ON-LINE SERVICES IN RESPONSE TO BROADCAST OF ON-LINE ADDRESSESWeb Pager, Inc., a New York corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or2. ☐ an assignee of less than the entire right, title and interest.The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 8351, Frame 0347, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.☒ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

September 15, 2003

Date

(212) 532-3880

Telephone number

Shelton L. Palmer

Typed or printed name

[Signature]

Signature

President

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

02-20-1997



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To the Honorable Commissioner

OVER SHEET
VLYU.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

FEB 13 1997

RECEIVED ALL

Record the attached original documents or copy thereof

1. Name of conveying party(ies):

Shelton L. Palmer, a citizen of the
United States and Jason M. Palmer a
citizen of the United StatesAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

MRD 2-13-97

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other _____

Execution Date: February 5, 1997

2. Name and address of receiving party(ies)

Name: Web Pager, Inc.

Internal Address: _____

Corporation of New York

Street Address: 19 West 26th Street

City: New York, State: NY ZIP 10018

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

08/739,796

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Jeffrey S. Dickey

Internal Address: LERNER, DAVID, LITTENBERG,

KRUMHOLTZ & MENTLIK

Street Address: 500 South Avenue West

City: Westfield State: NJ ZIP: 07090

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41) \$ 40.00

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

12-1095

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Jeffrey S. Dickey

Name of Person Signing

Reg. No. 35,858

Total number of pages including cover sheet, attachments, and document

Mail documents to be recorded with required copy to Registration Section

Commissioner of Patents & Trademarks, Box 1000

Washington, D.C. 20530

FRAME: 0347

A S S I G N M E N T

WHEREAS, Shelton L. Palmer, a citizen of United States, residing at 330 East 33rd Street, Suite 19M, New York, NY 10016 and Jason M. Palmer, a citizen of United States, residing at 41 Shore Drive, Huntington Bay, NY 11743-1322, as assignors, have invented improvements in

APPARATUS AND METHOD OF PROVIDING AUTOMATIC ON-LINE ACCESS

for which U.S. Application Serial No. 08/739,796 for Letters Patent was filed in the U.S. Patent and Trademark Office on October 30, 1996.

AND WHEREAS, WEB PAGER, INC., a corporation of New York, having a place of business at 19 West 36th Street, New York, NY 10018, as assignee, is desirous of acquiring all right, title and interest in and to said invention and any Letters Patent that may be granted therefor.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, I (we) as assignor(s) hereby sell, assign and set over to said assignee the entire right, title and interest for the United States of America and all other countries in and to said invention and the aforesaid application for Letters Patent, all original, divisional, continuation, substitute or reissue applications and patents applied for or granted therefor in the United States of America and all other countries, and the Commissioner of Patents and Trademarks is hereby authorized and requested to issue all patents on said improvements or resulting therefrom to said assignee herein, as assignee of the entire interest therein; and the undersigned for me (us) and my (our) legal representatives, heirs and assigns do hereby agree and covenant without further remuneration, to execute and deliver all divisional, continuation, reissue and other applications for Letters Patent on said improvements and all assignments thereof to said assignee or its assigns, to communicate to said assignee or its representatives all facts known to the undersigned respecting said improvements, whenever requested, to testify in any interferences or other legal proceedings in which any of said applications or patents may become involved, to sign all lawful papers, make all rightful oaths, and to do generally everything necessary to aid assignee, its successors, assigns and nominees to obtain patent protection for said improvements in all countries, the expenses incident to said applications to be borne and paid by said assignee.

And We do hereby authorize our attorneys, to insert on this deed the filing date and serial number of said application when known.

1/1/97
Date

SHELTON L. PALMER

Jason M. Palmer
Witness

1/1/97
Date

JASON M. PALMER

[Signature]
Witness

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04-30-1997



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To the Honorable Commissioner

ONE SHEET
ONLYU.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

FEB 13 1997

RECEIPT

Record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Shelton L. Palmer, a citizen of the
United States and Jason M. Palmer a
citizen of the United StatesAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No3. Nature of conveyance: *MRA 2-13-97*☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other

Execution Date: February 5, 1997

2. Name and address of receiving party(ies)

Name: Web Pager, Inc.

Internal Address:

Corporation of New York

Street Address: 10 West 36th Street

City: New York, State: NY ZIP: 10011

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

08/739,796

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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KRUTHOLTZ & MENTLIK

Street Address: 600 South Avenue West

City: Westfield State: NJ ZIP: 07090

6. Total number of applications and patents involved: ☒ 1

7. Total fee (37 CFR 3.41) \$ 40.00

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

12-1095

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and the attached copy is a true copy of the original document.

Jeffrey S. Dickey

Name of Person Signing

Reg. No. 35,858

Total number of pages including cover sheet, attachments, and document: 2

This document is to be recorded with required cover sheet and fee.
Comptroller of Patents and Trademarks, U.S. Department of Commerce
Washington, D.C. 20231

ASSIGNMENT

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NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, I (we) as assignor(s) hereby sell, assign and set over to said assignee the entire right, title and interest for the United States of America and all other countries in and to said invention and the aforesaid application for Letters Patent, all original, divisional, continuation, substitute or reissue applications and patents applied for or granted therefor in the United States of America and all other countries, and the Commissioner of Patents and Trademarks is hereby authorized and requested to issue all patents on said improvements or resulting therefrom to said assignee herein, as assignee of the entire interest therein; and the undersigned for me (us) and my (our) legal representatives, heirs and assigns do hereby agree and covenant without further remuneration, to execute and deliver all divisional, continuation, reissue and other applications for Letters Patent on said improvements and all assignments thereof to said assignee or its assigns, to communicate to said assignee or its representatives all facts known to the undersigned respecting said improvements, whenever requested, to testify in any interferences or other legal proceedings in which any of said applications or patents may become involved, to sign all lawful papers, make all rightful oaths, and to do generally everything necessary to aid assignee, its successors, assigns and nominees to obtain patent protection for said improvements in all countries, the expenses incident to said applications to be borne and paid by said assignee.

And We do hereby authorize our attorneys, to insert on this deed the filing date and serial number of said application when known.

2/5/97

Date

SHELTON L. PALMER

Eric Fatterman

Witness

2/5/97

Date

JASON M. PALMER

John M. Palmer

Witness

F:\SS\DOCS\J.O\78618.DOC